

26-5045

ORIGINAL

No. _____

Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

KARINA SINGER,

Petitioner,

v.

LENORE BOEKANKAMP AND NATASHA R. SINGER,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO
THE COURT OF APPEALS OF THE STATE OF NEVADA

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Whether the Fourteenth Amendment permits a state appellate court to affirm a judgment depriving a litigant of property and impose procedural forfeitures based on materially conflicting official records, where the litigant timely requested settlement and correction of the record but no court determined which version accurately reflected what was filed, heard, or decided.
2. Whether the Fourteenth Amendment permits a state court to resolve disputed, outcome-determinative facts and order final distribution of property through findings first announced after an argument-only hearing, where no testimony was taken, the court muted the affected party during opposing counsel's factual presentation, refused her request to rebut those assertions one by one with identified evidence, and entered final judgment without addressing her timely, evidence-supported objections to those findings.

LIST OF PARTIES

Petitioner Karina Singer was the appellant below.

Respondents Lenore Boekankamp and Natasha R. Singer were the respondents below. All parties are individuals. No corporate disclosure statement is required.

RELATED CASES

- In the Matter of the Estate of Steven Jay Singer, Deceased, No. P-20-104624-E, Eighth Judicial District Court, Clark County, Nevada. Final order entered July 12, 2024.
- P-20-105009-E, Eighth Judicial District Court, Clark County, Nevada. Probate-Other docket opened after P-20-104624-E and coordinated to be heard with the lower-numbered case.
- In re Steven J. Singer Living Trust, No. 85403, Supreme Court of Nevada. Appeal dismissed November 3, 2022.
- In re Steven Singer, Deceased, No. 88893, Supreme Court of Nevada. Appeal dismissed August 12, 2024.
- In the Matter of Steven J. Singer, Deceased and Steven J. Singer Living Trust, No. 89171-COA, Court of Appeals of the State of Nevada. Judgment entered October 24, 2025; rehearing denied January 22, 2026.
- In the Matter of Steven J. Singer, Deceased and Steven J. Singer Living Trust, No. 89171, Supreme Court of Nevada. Appeal initially retained and administered before transfer to the Court of Appeals; order denying motion to recall remittitur entered April 6, 2026.

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**IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR A WRIT OF CERTIORARI**

Petitioner respectfully prays that a writ of certiorari issue to review the judgment described below.

OPINIONS BELOW

The judgment sought to be reviewed is the unpublished October 24, 2025 order of the Court of Appeals of the State of Nevada affirming in part and dismissing in part. Pet. App. 1a–18a. That order affirmed the July 12, 2024 district-court order approving Respondents’ accounting, attorney fees and costs, and final distribution; affirmed the district court’s later-written disposition of the June 29, 2022 matters; and dismissed portions of the appeal as untimely or nonappealable. The order denying rehearing was entered January 22, 2026. Pet. App. 35a–36a.

The July 12, 2024 district-court order is reproduced at Pet. App. 19a–34a. The Supreme Court of Nevada’s April 6, 2026 order denied Petitioner’s corrected motion to recall or clarify remittitur after the motion presented fraud, mistake, and record-integrity grounds and requested correction of the erroneous rehearing date. Pet. App. 285a–286a. The order treated the filing as a motion to recall remittitur, stated that Petitioner had not demonstrated a basis for recall, and denied relief without identifying which requested corrections were denied, addressing the erroneous date, resolving the documented record conflicts, or explaining the evidence and legal grounds supporting the denial.

JURISDICTION

The Court of Appeals entered judgment on October 24, 2025, and denied Petitioner's timely petition for rehearing on January 22, 2026. Petitioner's original petition for a writ of certiorari was timely received by this Court on April 22, 2026. The Clerk returned it for correction of form deficiencies. This corrected petition is submitted within the 60-day period allowed by the Clerk's letter and Supreme Court Rule 14.5.

Appeal No. 89171 originated in the Supreme Court of Nevada. That court retained and administered the appeal for approximately eight months, entered procedural orders, directed transmission of the district-court record, and received Petitioner's federal constitutional and record-integrity claims. After Petitioner requested summary disposition on the un rebutted record, the Supreme Court transferred the appeal to the Court of Appeals. Petitioner promptly requested recall of the transfer and retention of Supreme Court jurisdiction, identifying the constitutional, record-integrity, and statewide-public-importance questions presented. Pet. App. 37a–79a, 80a–113a. The Court of Appeals later entered the October 24 judgment and denied rehearing. Pet. App. 1a–18a, 35a–36a.

The judgment sought to be reviewed is the October 24, 2025 judgment of the Court of Appeals, as left in place by the January 22, 2026 denial of rehearing. The April 6, 2026 order denying recall of remittitur is not invoked to enlarge the filing period. Pet. App. 1a–18a, 35a–36a, 285a–286a.

This Court has jurisdiction under 28 U.S.C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Fourteenth Amendment to the United States Constitution provides, in relevant part: “No State shall . . . deprive any person of life, liberty, or property, without due process of law.”

STATEMENT OF THE CASE

This case concerns the minimum process required before a State may rely on disputed court records and untested factual findings to extinguish appellate review and distribute protected property.

The official record contains material conflicts concerning what Petitioner filed, what the district court ordered, whether pending matters were deferred or denied, and what procedure governed the final accounting. Petitioner repeatedly requested correction and settlement of those conflicts. No Nevada court conducted the record-settlement proceeding prescribed by state appellate procedure. The Court of Appeals nevertheless selected the later written versions, used them to impose forfeiture and reject Petitioner's claims, and affirmed the resulting property judgment. Pet. App. 8a–18a, 67a, 75a, 230a, 263a–283a, 287a–323a.

The district court also resolved disputed financial facts without a trial or evidentiary hearing. No witness testified, no documents were authenticated or admitted through an evidentiary process, and no cross-examination occurred. During the argument-only proceeding, Petitioner was muted while Respondents' counsel presented the factual narrative later incorporated into the court's findings. When Petitioner asked to address those assertions individually and identify the contrary evidence, the court refused. Pet. App. 163a–164a, 166a–199a.

The dispositive factual findings first appeared after the hearing in a no-hearing minute order. Petitioner filed a specific, evidence-supported objection before entry of final judgment. The final order repeated and expanded the challenged findings without adjudicating that objection, identifying the evidence relied upon, explaining why the contrary evidence was rejected, or providing any proceeding in which the disputed facts could be tested. Pet. App. 22a–34a, 133a–162a.

The Court of Appeals held that notice of the accounting dispute and an opportunity to submit papers supplied sufficient due process. Pet. App. 17a. The questions presented are whether due process permits a State to impose procedural forfeitures on an unsettled official record and finally adjudicate disputed property rights through factual findings that the affected party was not given a meaningful opportunity to test before judgment.

REASONS FOR GRANTING THE PETITION

I. THE COURT OF APPEALS AFFIRMED ON A RECORD THE STATE NEVER SETTLED.

Chessman v. Teets, 354 U.S. 156, 161–164 (1957), vacated a state affirmance resting on a seriously disputed appellate record whose accuracy the petitioner had no meaningful role in determining. Evitts v. Lucey, 469 U.S. 387, 393, 400–401 (1985), confirms that a State’s appellate system must operate in accordance with due process.

Here, the conflicting versions determined whether an order was appealable, whether an issue was forfeited, which case controlled, whether an objection was treated as an appeal, what the district court ordered, which filings were recognized as accountings or objections, and whether Petitioner received a meaningful factual proceeding.

The conflicts are objective and documented by the State’s own records. Docket 74 was accepted under the “Objection—OBJ (PRB)” code with the filing description, “Objection to the order and findings from the June 29, 2022 hearing, demand for trial and notice of appeal,” and was treated as the filing commencing Appeal No. 85403. Pet. App. 12a–13a, 292a–293a.

The June 29 docket entries recorded “Deferred Ruling,” while the later written order denied relief. Pet. App. 295a–296a.

The November 28 transcript ordered a “clean and full copy of the accounting” with the supporting documentation “all together.” Pet. App. 230a. The contemporaneous minutes likewise ordered a clean and full accounting, supporting documentation, written objections, and a later accounting hearing. Pet. App. 263a–264a. The December 11 minute-order versions instead supplied rulings on older motions. Pet. App. 276a–279a, Dec. 12 2023 minute-order 281a–283a. The

metadata for the minutes orders from Dec. 11 2023 shows as Public Filed, and the Dec. 12 2023 minutes as DC Minutes and is filed with the normal filing code 155, Pet. App. 280a.

The cross-case conflict continued when the January 3, 2024 Notice of Entry was filed only in P-20-105009-E, even though the attached December 27, 2023 order listed both coordinated case numbers and purported to arise from the November 28, 2023 hearing conducted in P-20-104624-E. Pet. App. 266a–274a. The official transcript of that hearing appears at Pet. App. 228a–261a, and the actual November 28, 2023 minutes appear at Pet. App. 263a–264a. Those primary records do not match the December 27 written order: the order omits and alters material directives reflected in both the transcript and the minutes from the hearing it purported to memorialize.

The court stated at the March 28, 2024 argument-only hearing, “I’m not making a decision today,” and the dispositive findings first appeared afterward in the May no-hearing minute order. Pet. App. 150a–159a. The May 17/18 2024 minute-order event contains separate Public Filed Document and DC Minutes objects. Pet. App. 161a–162a.

The record alterations extended beyond one filing. An accounting accepted under the “Accounting—ACCT (PRB)” code appeared partly as an “Exhibit Appendix.” Pet. App. 288a–289a. The clean accounting spreadsheet submission requested by the court likewise appeared as “Exhibit Appendix—Source Documents for the Objectors” instead of how it was filed, “”The clean accounting spreadsheet requested by the court” Pet. App. 299a. An organized Designation of Record on Appeal appeared as “Miscellaneous Filing—Exhibits.” Pet. App. 303a–305a. A notice Dkt. 200, asking that the Supreme court replace the Petitioner’s own erroneous Case Appeal Statement, Dkt. 194, be replaced by the amended, corrected version, Dkt. 201, became an adjudicated motion but not until after the hearing for that altered Dkt. 203, had already taken place. The hearing had been triggered by the court’s filed case appeal statement Dkt. 203 which briefly

appeared as the Motion to withdraw or Replace, (notice lower case w). Pet. App. 309a–311a.

Recipient-specific subpoenas became generic entries that concealed the institutions and witnesses from whom the records were sought. Pet. App. 316a–323a.

The labels determined where the filings appeared, how they were grouped, and how they were identified for appellate review. The appellate courts therefore received the same disputed record whose accuracy Petitioner had challenged under NRAP 10(c).

The Court of Appeals selected the later written versions and used them to determine forfeiture, appealability, and the merits. It relied on the November 30, 2021 written order to dismiss issues as untimely; relied on the later-written disposition attributed to the June 29, 2022 hearing; treated the January 2024 combined opposition as timely and court-ordered; and accepted the July 12 factual findings as supported by the record. Pet. App. 8a–18a.

That method deprived Petitioner of an authoritative record identifying what she filed, what relief remained pending, what the district court decided, and what she was required to appeal.

Nevada’s own appellate rule supplied the required settlement mechanism. NRAP 10(a) defined the record to include the filed papers, transcripts, minutes, and docket entries. Rule 10(c)(1) commanded that a difference about what the record truly disclosed “must be submitted to and settled by” the district court and the record conformed accordingly. Rule 10(c)(2) authorized correction by the district court, the Supreme Court of Nevada, or the Court of Appeals. Petitioner invoked that procedure and requested correction and settlement of the conflicting records. Pet. App. 68a, 76a.

After remittitur, Petitioner again presented the record-integrity dispute to the Supreme Court of Nevada through a motion invoking inadvertence, mistake of fact, incomplete knowledge, and fraud. The court recited that standard but denied recall by stating only that Petitioner had not demonstrated a basis for relief. It did not settle the conflicting record, identify the evidence considered, or explain why the documented discrepancies did not satisfy the stated standard. Pet.

App. 285a-286 a.

The resulting constitutional question does not require this Court to identify who changed any particular entry or determine motive. The official records conflict on their face; the conflicts produced adverse procedural consequences; Petitioner repeatedly sought settlement and correction; and Nevada affirmed without determining which record was authoritative.

II. THE FINAL FACTUAL FINDINGS WERE FIRST SUPPLIED AFTER THE HEARING AND WITHOUT MEANINGFUL EVIDENTIARY TESTING.

Due process protects the opportunity to meet the facts that control the judgment. *Morgan v. United States*, 298 U.S. 468, 480–481 (1936), requires the officer who decides to consider and appraise the evidence. *Morgan v. United States*, 304 U.S. 1, 18–19 (1938), holds that a fair hearing includes a reasonable opportunity to know and meet the opposing claims and condemns adoption of findings formulated by the prevailing side without an opportunity to object. *Ohio Bell Telephone Co. v. Public Utilities Commission*, 301 U.S. 292, 300–305 (1937), invalidated a judgment resting on decisional facts the affected party could not examine and rebut. *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965), requires that opportunity at a meaningful time and in a meaningful manner. See also *SEC v. Jarkesy*, 603 U.S. 109, 150 (2024) (Gorsuch, J., concurring, joined by Thomas, J.) (explaining that due process traditionally includes “regular allegations, opportunity to answer, and a trial according to some settled course of judicial proceedings”) (quoting *Murray’s Lessee v. Hoboken Land & Improvement Co.*, 18 How. 272, 280 (1856)).

Petitioner repeatedly sought formal factfinding. Docket 74 demanded a jury trial and evidentiary hearing after the June 29, 2022 proceeding, but the filing was treated as the instrument commencing Appeal No. 85403 and those demands were not separately adjudicated. Docket 91 later requested a new trial, and Docket 94 renewed that request as alternative relief. Pet. App. 202a-226a.

At the April 11, 2023 hearing, the court expressly refused an evidentiary hearing:

“You’re not going to have an evidentiary hearing about these things.”

The court stated that the parties were “not filing Supplements” or “new things” concerning the outstanding matters and that “[w]hatever you’ve already filed is what I am looking at.” Pet. App. 214a-215a.

The court separately acknowledged that no trial had occurred:

“So, you had asked, Ms. Singer, for a new trial. So, a trial wasn’t held. . . . So the Court can’t give you a remedy for a new trial.” Pet. App. 219a.

The same transcript left unresolved whether Objectors had filed timely objections to Petitioner’s Second, Third, and Fourth Accounting petitions. Objectors’ counsel said only that she “believe[d]” the accountings had been opposed. When asked to identify the objections, counsel stated that she would need time to review the docket. Petitioner asked whether her petitions would be approved as unopposed if no objections existed. The court did not answer that question and instead prohibited Objectors from creating new objections:

“But if it has not already been filed somewhere, I do not want you—you are not to now oppose and create something and then file it.”

Pet. App. 220a-223a, and 224a-225a.

After the November 28, 2023 reset, Objectors filed their Combined Brief in Opposition to All Accountings Previously Filed by Karina Singer on January 5, 2024. Petitioner filed her reply the following day. Before the March 28 hearing, Petitioner also filed her Direct Evidence and accounting-objection materials. The transmitted master index confirms both the late combined opposition in 104624 Dkt. 126 and the extensive Direct Evidence and objection filings, 104624 Dkt 116-123, 125, 127-132, 133 as a direct response to Objectors untimely objection to the Petitioner’s unopposed accounting petitions, certified by a forensic accountant, sitting on the court record, for over a year before objectors filed an objection.

No jury trial or evidentiary hearing occurred before final judgment.

Respondents' counsel then presented an extended unsworn factual narrative at the March 28 proceeding. While counsel presented the accounting narrative later adopted in the court's findings, the court stated to Karina:

"I'm going to mute you. Please do not speak."

The court directed its staff to mute Petitioner and later stated:

"Ms. Singer, I'm going to mute you now." Pet. App. 175a-198a.

After counsel completed the presentation, Petitioner was unmuted. She explained that counsel had presented numerous factual assertions together and requested that they be addressed one at a time so that she could identify her objection and supporting evidence as to each assertion. The court refused:

"We would have to stop the proceedings. We would have to go backwards. So unfortunately, no." Pet. App. 187a.

The district court conducted no testimony, authentication, cross-examination, exhibit-admission process, or transaction-level reconciliation. It announced no dispositive findings at the hearing. The court stated that it was "not making a decision today" and would later review the record and issue a written decision. Pet. App. 191a-192a.

The May 17 no-hearing minute order then supplied the dispositive findings for the first time. It found substantial compliance and good faith, attributed most disputed withdrawals to the Bank of America transaction, reduced the unexplained amount to \$1,052.05, rejected the fraud evidence as unsupported, approved the accountings and fees, and directed distribution. Pet. App. 151a-160a. The public portal separately displayed a Public Filed Document and a DC Minutes object for that no-hearing event. Pet. App. 160a-162a.

Petitioner objected the following day. Docket 150 specifically challenged the 3,725-page characterization, the Bank of America narrative, the \$1,052.05 calculation, the finding that she had

failed to provide sufficient evidence, the approval of attorney fees, and the rejection of her fraud evidence. It identified the accountings, Direct Evidence filings, bank records, transcripts, and accounting materials supporting each objection. Pet. App. 133a–148a.

The district court had fifty-five days to address that objection before entry of final judgment.

The July 12 final order repeated and expanded the challenged findings without identifying Docket 150; stating which objections or requests for relief were denied; adjudicating the jury-trial or evidentiary-hearing requests; reconciling the contrary source evidence; identifying the evidence relied upon; explaining why contrary evidence was rejected; or stating the legal standard supporting the result. Its blanket denial of all relief did not reveal what was denied, what evidence was accepted or rejected, or why. Pet. App. 22a–34a.

The record also disclosed facial limitations in Respondents’ supporting materials. At the hearing, Respondents’ counsel acknowledged that the submission relied on bank statements and did not include a corresponding receipt or proof for every transaction. Pet. App. 186a. Petitioner’s pre-judgment objection identified incomplete source documentation, disputed account classifications, mathematical discrepancies, and transactions that had not been traced or reconciled. Pet. App. 133a–148a. Those circumstances made substantial compliance a disputed factual conclusion.

Petitioner objected again to the final order and renewed her demand for an evidentiary hearing, identifying the absence of testimony, the missing source documents, and the conflict between the evidence and the final findings. Pet. App. 114a–132a.

The Court of Appeals nevertheless held that the district court had provided “sufficient notice and an opportunity to be heard” and that due process was satisfied despite the absence of an evidentiary hearing. Pet. App. 15a–17a.

The requests for formal factfinding were repeated, not belated. Petitioner demanded a jury trial and evidentiary hearing in Docket 74, sought a new trial through Dockets 91 and 94, requested

an evidentiary hearing at the April 11 proceeding, and renewed that request in later filings on the record.

Although the district court stated that it would decide the existing record without new evidence, it later permitted Objectors to file the January 2024 combined opposition and then resolved the disputed facts through unsworn argument without providing a jury trial or evidentiary proceeding in which the competing evidence could be tested. Pet. App. 214a–217a, 219a–224–226a, 230a–244a.

The constitutional defect is not the absence of a written discussion of every exhibit. The court adopted outcome-determinative facts through a disputed no-hearing electronic record, after denying the requested method of rebutting the unsworn factual narrative, and then entered the prevailing party's expanded order without resolving the timely, evidence-supported objection to those same facts. Pet. App. 133a–162a, 183a–187a, 22a–34a.

An opportunity to place papers in the record was not meaningful process when the dispositive factual conflicts remained unresolved and judgment rested on findings first supplied after the hearing. Armstrong requires an opportunity to be heard at a meaningful time and in a meaningful manner. Morgan and Ohio Bell require a meaningful opportunity to know, meet, and test the factual grounds controlling the judgment.

The risk of error was substantial. The record presented claims that more than \$1.2 million in trust funds had been routed through personally titled accounts, along with disputed account classifications, incomplete source documentation, CPA-prepared analyses, and identified transfers requiring tracing. Pet. App. 74a, 101a, 105a, 119a. Yet the final order fixed unexplained withdrawals at \$1,052.05 without testimony, authentication, credibility findings, or transaction-level reconciliation. Pet. App. 28a–30a, 157a–159a.

Petitioner does not ask this Court to determine whether Respondents embezzled funds, decide which accounting was mathematically correct, or reconstruct the transactions. The

identifiable consequences: an objection initiated an appeal; an administrative replacement notice became a motion and fee proceeding; accounting and objection materials appeared under exhibit and miscellaneous labels; and the appellate indexes incorporated the altered identities. Pet. App. 305a–328a, 339a–347a, 348a–407a.

The problem is especially consequential for self-represented litigants. They must rely on the public docket to know what the clerk accepted, what remains pending, what has been decided, what must be corrected, and what must be appealed. A system that permits materially different filing identities to control adjudication without an authoritative settlement procedure denies meaningful access to appellate review.

The second question is equally clean. Docket 74 records Petitioner's demands for a jury trial and evidentiary hearing. Pet. App. 309a–313a. The certified transcript records the muting directives, her request to rebut counsel's assertions individually with identified evidence, and the court's refusal. Pet. App. 166a–199a. The May 17 minute order records the factual findings first supplied afterward. Pet. App. 151a–160a. Docket 150 records the timely, specific objection before final judgment. Pet. App. 133a–148a. The July 12 order repeats and expands the challenged findings without identifying or adjudicating the jury-trial demand, evidentiary-hearing request, or Docket 150 objections. Pet. App. 22a–34a. The Court of Appeals expressly held that notice and an opportunity to be heard supplied sufficient due process despite the absence of an evidentiary hearing. Pet. App. 15a–17a.

Petitioner raised the federal questions before final judgment, in her objections, in the Supreme Court of Nevada while that court retained the appeal, in the Court of Appeals, on rehearing, and through NRAP 10(c) record-correction requests. Pet. App. 38a–79a, 81a–113a, 115a–148a, 302a–303a. The issues can be resolved without determining the ultimate accuracy of either accounting, reconstructing every transaction, proving motive, or identifying the person who changed any particular entry.

Review is warranted under Supreme Court Rule 10(c). The decision below resolved important federal questions in a manner inconsistent with this Court's due-process decisions. Nevada's failure to employ its prescribed record-settlement procedure matters not as an independent violation of state law, but because the State imposed procedural forfeitures and affirmed a final property judgment without first establishing an authoritative record or providing a meaningful opportunity to test the material disputed facts.

IV. VACATUR AND REMAND ARE THE APPROPRIATE NARROW RELIEF.

A ruling for Petitioner would require Nevada to identify the authoritative record through a noticed, adversarial process; conform the case history, docket identities, minutes, and written orders to that record; and provide a constitutionally adequate opportunity to test the disputed facts before final adjudication.

The October 24, 2025 judgment should be vacated and the matter remanded for settlement and correction of the official record, followed by constitutionally adequate evidentiary proceedings before an impartial judicial officer in which the material disputed facts are tested before final adjudication. "A fair trial in a fair tribunal is a basic requirement of due process." *In re Murchison*, 349 U.S. 133, 136 (1955).

That relief leaves Nevada law to the Nevada courts. It requires only that Nevada apply its law to an accurate official record through a procedure that permits meaningful participation before protected property rights are finally adjudicated.

CONCLUSION

The petition for a writ of certiorari should be granted. The October 24, 2025 judgment of the Court of Appeals of the State of Nevada should be vacated, and the case should be remanded for settlement and correction of the official record and for constitutionally adequate evidentiary proceedings before a neutral judicial officer.

Respectfully submitted,

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Date: June 27, 2026